

## REMARKS

### Specification

The Examiner objected to the specification because the phrase "the present invention," in line 3 of the abstract, is redundant.

The abstract has been appropriately corrected.

### Claim Objections

The Examiner objected to Claim 11 because of the following informalities:

It is suggested to end each claim with a "period."

Claim 11 has been appropriately corrected.

### 35 U.S.C. § 112 Rejections

The Examiner rejected Claims 5 and 13 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The claims contained subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The Examiner stated that regarding Claims 5 and 13, the limitations of "wherein said score is also based at least in part on demographic information associated with said visitor" (Claim 5) and "determining demographic information about said visitor" (Claim 13) are not enabled in the specification.

The Examiner also stated that it has not been disclosed how such limitations take

place, and thus, one skilled in the art would not know how to make and/or use the invention.

Applicant respectfully submits that claims 5 and 13 are enabled on pages 12 and 13 in the specification. As discussed on page 12, the determination made during the step 104 also may be based in part on other factors in addition to the search terms received from a visitor during the step 102 (page 12, lines 7-8). In some embodiments, if the server 202 knows or has access to any information about the visitor, such as the visitor's age, gender, income, occupation, state of residence, personal preferences, shopping history, bank account balance, credit limit or history, home owner status, marital status, etc., the server 202 may use such information in determining a navigation path for a visitor (page 12, lines 8-12). For example, the server 202 may provide different jump pages to different visitors depending on the age of the visitor, each of the jump pages being targeted to or associated with a different age range (page 12, lines 12-14). The server 202 might user a jump page only when certain search terms are received during the step 102 (page 12, lines 14-15). Thus, the selection of the jump page to server or otherwise provide to the user is based both on the visitor's age and the visitor's search terms (page 12, lines 15-17). Visitor information may be stored in a visitor database, which may be stored, updated, populated, maintained and/or accessed by the server 202, the database server 212 or some other device (page 12, lines 18-20). Visitor information may be collected from a visitor as the visitor visits a Web site and supplied information, third party information collection

agencys, direct marketing groups or mailing lists, publicly available records, etc. (page 12, line 20 through page 13, line 1).

Applicant, accordingly, respectfully requests withdrawal of the rejections of Claims 5 and 13 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enabling requirement.

The Examiner rejected Claims 8-10 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention

The Examiner stated the Claim 8 recites the limitation "said plurality of potential navigation paths" in line 2. There is insufficient antecedent basis for this limitation in the claim. A plurality of potential navigation paths has not previously been identified in the claims.

The Examiner further stated that Claims 9 and 10 are necessarily rejected as being dependent upon the rejection of Claim 8.

Claims 8 and 9 have been cancelled.

Claim 10 has been amended to be dependent on claim 1.

Applicant, accordingly, respectfully requests withdrawal of the rejection of Claim 10 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

### 35 U.S.C. § 103 Rejections

The Examiner has rejected Claims 1, 11, 13-15, and 18-20 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's admitted prior art in view of Leshem.

Applicant' s admitted prior art and Leshem do not teach or suggest associating each navigation path with a score range in determining a score for each search term.

Applicant's admitted prior art teaches a method for directing navigation of a visitor to a World Wide Web site. As a result of a desire by user's to search for relevant Web sites related to the user's topics of interest, some Web sites provide search engines or other capabilities that allow users to provide one or more search terms or keywords (page 2, lines 2-3). Once a user enters the one or more search terms or keywords, the search engine provides search results based on the search terms or keywords. Typically such search results include a list or one or more Web sites or other locations or URLs that may be related to the search terms or keywords. The list may include one or more links to the Web sites, locations, URLs, etc. in search results that the user can select or "click" on. Thus, the user can decide which navigation path to follow by deciding which of the Web sites, locations, URLs, etc. to go to (page 2, lines 6-11). Applicant's admitted prior art thus teaches a method for directing navigation of a visitor to a World Wide Web site. Specifically, Applicant's admitted prior art does not teach

or suggest associating each navigation path with a score range in determining a score for each search term.

Leshem teaches a visual Web site analysis program, implemented as a collection of software components, which provides a variety of features for facilitating the analysis and management of Web sites and Web site content (Abstract). The Web site analysis program implements a map generation method which greatly facilitates the visualization by the user of the overall architecture of the Web site, and allows the user to navigate the map in an intuitive manner to explore the content of the web site (col. 2, lines 27-32). The Web site analysis program includes software routines and associated user interface controls for automatically scanning and mapping dynamically-generated web pages, such as web pages generated “on-the-fly” in response to user-specified database queries (col. 3, lines 31-36). This feature generally involves the 2-step process of capturing and recording a data set manually entered by the user into an embedded form of a web page (such as a page of a previously-mapped Web site), and then automatically resubmitting the data set when the Web site is later re-scanned (col. 3, lines 36-40). Leshem thus teaches a visual Web site analysis program for facilitating that analysis and management of Web sites and Web site content. Specifically, Leshem does not teach or suggest associating each navigation path with a score range in determining a score for each search term.

Claims 1, 18, 19, and 20 have been amended to include associating each navigation path with a score range in determining a score for each search term.

Specifically, Claim 1 includes the limitations “associating each of said plurality of navigation paths with a respective one of a plurality of score ranges” and “determining a score for said at least one search term, wherein said score of said at least one search term is within a scored range associated with said navigation path.” Claim 18 includes the limitations “associate each of said plurality of navigation paths with a respective one of a plurality of score ranges” and “determine a score for said at least one search term, wherein said score of said at least one search term is within a scored range associated with said navigation path.” Claim 19 includes the limitations “computer readable means for associating each of said plurality of navigation paths with a respective one of a plurality of score ranges” and “computer readable means for determining a score for said at least one search term, wherein said score of said at least one search term is within a scored range associated with said navigation path.” Claim 20 includes the limitations “means for associating each of said plurality of navigation paths with a respective one of a plurality of score ranges” and “means for determining a score for said at least one search term, wherein said score of said at least one search term is within a scored range associated with said navigation path.”

Therefore, Claims 1, 18, 19, and 20 are patentable over Applicant’s admitted prior art and Leshem because Claims 1, 18, 19, and 20 include limitations that are not taught or suggested by Applicant’s admitted prior art and Leshem. Furthermore, Claims 1, 18, 19, and 20 have been amended in

accordance with the Examiner's suggestion that Claim 9 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph.

Claims 11 and 13-15 are dependent on Claim 1 and should be allowable for the same reasons as Claim 1 stated above.

Applicant, accordingly, respectfully requests withdrawal of the rejections of Claims 1, 11, 13-15, and 18-20 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's admitted prior art in view of Leshem.

The Examiner has rejected Claims 2-4, 6-8, 10, and 12 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's admitted prior art in view of Leshem and further in view of Bowman.

Claims 2-4, 6, 7, 10, and 12 are dependent Claim 1 and should be allowable for the same reasons as Claim 1 stated above.

Claim 8 has been cancelled.

Applicant, accordingly, respectfully requests withdrawal of the rejections of Claims 2-4, 6, 7, 10, and 12 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's admitted prior art in view of Leshem and further in view of Bowman.

Claims 21 and 22 have been added in accordance with the Examiner's suggestion that Claims 16 and 17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

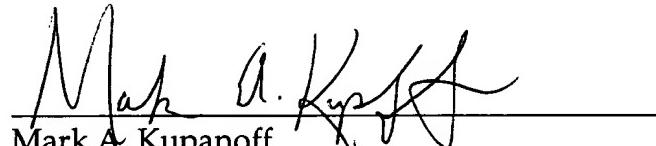
Applicant respectfully submits that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Mark A. Kupanoff at (408) 720-8300.

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: October 22, 2004



\_\_\_\_\_  
Mark A. Kupanoff  
Reg. No. 55,349

Customer No. 008791  
12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1030  
(408) 720-8300

Inventor(s): Erik D. Hals, et al.  
Application No.: 09/737,197

- 18/18-

Examiner: Dalencourt, Yves  
Art Unit: 2157